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\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Practice Limited to  
Federal Agencies

April 28, 2004

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Art Unit 1614

Re: U.S. Utility Patent Application  
Appl. No. 10/721,338; Filed: November 26, 2003  
For: **Caspase Inhibitors and the Use Thereof**  
Inventors: Cai *et al.*  
Our Ref: 1735.0350004/RWE/RAS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. PTO-2038 Credit Card Payment Form;
2. PTO Fee Transmittal Form PTO/SB/17;
3. Request to Delete Inventors in a Nonprovisional Patent Application Under 37 C.F.R. § 1.48(b); and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent

Commissioner for Patents  
April 28, 2004  
Page 2

abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

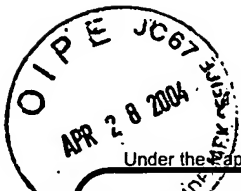
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert A. Schwartzman, Ph.D.  
Agent for Applicants  
Registration No. 50,211

RAS/law  
Enclosures

257853.1



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2004**  
Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$) **130.00**

**Complete if Known**

Application Number	10/721,338
Filing Date	November 26, 2003
First Named Inventor	Sui Xiong Cai
Examiner Name	To be assigned
Art Unit	1614
Attorney Docket No.	1735.0350004/RWE/RAS

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☒ Other\*\* ☐ None

☐ \*Charge any deficiencies or credit any overpayments in Deposit Account: the fees to Deposit Acct. No. 19-0036

Deposit Account Number: 19-0036

Deposit Account Name: Sterne Kessler, Goldstein & Fox P.L.L.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b> (\$)			<b>-0-</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims: 20 \*\*= 20 X 1 = 20

Independent Claims: 3 \*\*= 3 X 1 = 3

Multiple Dependent:    =   

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b> (\$)		

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)

**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) <u>Processing fee under 37 CFR 1.17(i)</u>			130.00
*Reduced by Basic Filing Fee Paid			
<b>SUBTOTAL (3)</b> (\$)			<b>130.00</b>

**SUBMITTED BY** (Complete if applicable)

Name (Print/Type)	Robert A. Schwartzman, Ph.D.	Registration No. (Attorney/Agent)	50,211	Telephone	(202) 371-2600
Signature	<i>Robert A. Schwartzman</i>	Date	April 28, 2004		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cai *et al.*

Appl. No.: 10/721,338

Filed: November 26, 2003

For: **Caspase Inhibitors and the Use  
Thereof**

Confirmation No.: 8374

Art Unit: 1614

Examiner: *To be assigned*

Atty. Docket: 1735.0350004/RWE/RAS

**Request to Delete Inventors in a Nonprovisional Patent  
Application Under 37 C.F.R. § 1.48(b)**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants request that the United States Patent and Trademark Office correct inventorship in the above-captioned nonprovisional patent application. Prosecution of the application has resulted in the amendment or cancellation of claims so that fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the application.

Specifically, Applicants request that the United States Patent and Trademark Office delete **Eckard Weber, Gordon B. Mills and Douglas R. Green** from the inventive entity as each person's contribution is no longer claimed in the application. Accordingly, upon entry of this request, the inventive entity would be changed from **Sui Xiong Cai, Eckard Weber, Yan Wang, Gordon B. Mills, and Douglas R. Green** to **Sui Xiong Cai and Yan Wang**.

This request is accompanied by the processing fee as set forth under 37 C.F.R.  
§ 1.17(i). Applicants hereby authorize the U.S. Patent and Trademark Office to charge  
any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert A. Schwartzman, Ph.D.  
Agent for Applicants  
Registration No. 50,211

Date: April 28, 2004

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